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## An end to doping: How do we make sports fair for everyone?



**BY PASCAL BORRY AND ROSEMARY JAMES.** In reaction to discussions on the participation of Russian athletes to the Olympic Games, some athletes themselves asked in a letter to the World Anti-Doping Agency (WADA) for a full investigation and expressed the hope that their efforts to achieve sporting excellence are “not undermined or invalidated by those who cheat.” But what is a fair playing field? Making a Prohibitive List of substances is a difficult task, but remains nevertheless necessary to promote a doping-free sport and thus promote health, fairness and equality for athletes world-wide.

Written by Pascal Borry and Rosemary James. [Pascal Borry](#) is professor of Bioethics and member of the WADA ethics panel. Rosemary James is a medical Student at the National University of Ireland, Galway and Visiting Research Scholar at the KU Leuven.

Cheating behavior seems to go back to ancient Olympic Games. There is evidence of athletes that would eat animal parts or plants, or drink potions to improve their physical performances. Nevertheless, it was not until the death of the cyclist Knut Jensen in the Olympic Games of 1960 that anti-doping measures started to be implemented and that first lists of prohibited substances were developed. The Medical Commission of the International Olympic Committee (IOC) issued the first list of banned substances in 1968. Over the years, the cooperation between governments and sport authorities grew and the World Anti-Doping Agency was set up in 1999, with as mission to promote and coordinate internationally the fight against doping.



*Pascal Borry and Rosemary James*

A fundamental and instrumental document to achieve that purpose is the World Anti-Doping Code. In compliance with the Code, a substance or method will be added to the Prohibited List if at least two of

the three following criteria are met:

1. Potential to enhance or proof of enhancing sports performance;
2. Evidence of a potential or actual health risk to the athlete; and
3. Use violates the spirit of sport as described in the Code.

Substances or methods which mask the effect of prohibited substances are also prohibited. It might seem an easy task to distinguish between substances that allow for fair play. However, the deliberations about the Prohibitive List (PL) are difficult and do spark controversy.

### Potential to enhance or proof of enhancing sports performance

Some substances listed on the Prohibitive List are actually not performance enhancing. At this point, recreational drugs do not meet this criterion. Cannabis has been on the list since 2004, when WADA adopted it, even though it has never been proven to enhance performance. Conversely, the stimulant caffeine is not banned – even though it clearly can enhance performance. There is also much debate over where we should draw the line. Our upbringing, genes and materials such as specialized equipment or clothing are all performance enhancing, yet they are not on the Prohibitive List, either.

“ WITHOUT THE PROHIBITIVE LIST, SPORT WOULD JUST BECOME REVOLVED AROUND DRUG AND SUBSTANCE INNOVATION – RATHER THAN A FOCUS ON THE ATHLETES THEMSELVES

It should be noted that a substance only has to meet two of the three criteria, to be prohibited. This means that if a drug is damaging to health, and damages the spirit of sport, then it will find itself on the list. Does the Prohibitive List go too far, by prohibiting such a large variety of substances, of which many do not enhance athlete capabilities? Money and time spent testing for these types of substances is wasted, some argue. There is discussion to make this first criterion mandatory, in order to justify banning of a substance. Doping by definition, is the practice of increasing performance, with synonyms such as drugging or tampering with. There is an argument against making the first criterion mandatory, however. That is that it would mean, substances that are only suspected – but not yet proven, to be performance enhancing would not be able to be added to the list. That is, unless risky human trials would have to be conducted to discover their true effects – which is clearly out of the question.

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### Health risk

Commentators often argue that doping is simply a means to adjust the athlete's body to the sheer physical pressures of sport – arguing that doping is in fact, the opposite of a health risk. Furthermore,

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many substances on the list have not been properly researched to be a health risk, as their clinical research is either limited or unethical, which is why substances on the Prohibitive List (that meet the second criterion) must only have the potential to do damage. Finally, elite sport is a risk in itself. Most athletes risk their lives every day, by pushing the limits, so it seems unfair that there are not laws around this, such as how high a skier should jump, if doping is a health risk of elite sport. If a criterion was put in place for a reason, however, WADA wants to ensure health – which is something that affects the general public as well. If elite athletes and amateur sportsmen, they should be health conscious. In addition, by having WADA test athletes in and out of competition, there will be a reduced burden on the health system and medical aid. If all athletes were able to dope, a large extent of them would be passing out during their competitions. WADA's health criterion ensures the athletes protect themselves through risky doping. This is something that is beneficial to all – athletes, the public, and stakeholders alike.

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## Spirit of Sport

The Spirit of Sport is defined as, “the celebration of the human spirit, body and mind.” It is mentioned in the WADA code to encapsulate many values, including: Ethics, fair play and honesty; Health; Excellence in performance. This criterion was often criticized, because it is considered too subjective and certainly not concrete or based on facts, making it hard to justify. However, the Spirit of Sport criterion does well to preserve the original ethos of sport, to ensure competition is kept clean. If WADA did not have this criterion, imagine competition where ethics, fair play and honesty were absent. The world would not react to sport in the same way. Where to draw the line, in terms of damaging the Spirit of Sport, is difficult.

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## The struggle to justify the banning of a substance

The justification behind a banned substance is quite complex. Some critics argue that all three criteria should be abolished, so that there is no Prohibitive List at all. Preston and Szymanski made an argument that, “if doping were legal, all athletes could do it, and therefore it is hard to see what would be unfair about it.”



THE PRINCIPLE OF HAVING ANTI-DOPING PRINCIPLES IN PLACE IS SIMPLY TO PRESERVE SPORT COMPETITION

On the other hand, the Prohibitive List provides regulation and safe-keeping of the sporting world. What athletes do, impacts the public. WADA ensures that they are acting within the public's best interest. The list safeguards sporting to keep it clean, so that athletes can perform to the best of their natural abilities. Without the list, sport would just become revolved around drug and substance innovation – rather than a focus on the athletes themselves. Imagine an Olympics where almost all

athletes were to self-enhance using steroids and blood doping – and those that did not would simply lose the race. It would be a race of unnatural selection. Although the Prohibitive List may have its faults, having it be enforced means that the performance, health, and even spirit of the athlete are all being preserved. This is something we should appreciate, because without it, sport would be a different world all together.

All of these ethical debates incorporate the struggle that WADA faces, in deciding what to allow. In conclusion, the principle of having anti-doping principles in place to preserve sport competition. Although it is difficult to decide what substance should be on the Prohibitive List, as the alternative to not having a list would be much more friendly to sport, than what athletes are currently being faced with.

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